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PTO/SB/05 (11-00)
Approved for use through 10/31/2002 OMB 0651-0032

PTO/SB/05 (11-00)

Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

UTILITY
PATENT APPLICATION
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53 (b))

Attorney Docket No.

79377

First Inventor

Reed et al.

Title

Fire Suppressing Gas Generator Composition

Express Mail Label No.

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, D.C. 20231

1. ☒ **Fee Transmittal Form** (e.g., PTO/IB/17)
(Submit an original, and a duplicate for fee processing)
2. ☐ **Applicant claims small entity status.**
See 37 CFR 1.27.
3. ☒ **Specification** (Total Pages) **28**
(*Informal engagement see foot below*)
- Descriptive title of the invention
 - Cross References to Related Applications
 - Statement Regarding Fee sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the invention
 - Brief Summary of the invention
 - Brief Description of the Drawings (*if filed*)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☐ **Drawings(s)** (35 U.S.C. 113) (Total Sheets)
5. ☒ **Oath or Declaration** (Total Pages)
- a. ☐ Newly executed (original or copy)
- b. ☒ **Copy from a prior application** (37 CFR 1.63(d))
(*for continuation / divisional with Box 18 completed*)
- i. ☒ **DELETION OF INVENTOR(S)**
Signed statement attaching deleting inventor(s)
named in the prior application, see 37 CFR
1.63 (c) (2) and 1.33 (b)
6. ☐ **Application Data Sheet.** See 37 CFR 1.76

7. ☐ CD-ROM or CF-R in duplicate, large table or
Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
- a. ☐ Computer Readable From (CRF)
- b. Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ paper
- c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☒ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure ☐ Copies of IDS
Statement (IDS) PTO-1449 Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Request and Certification under 35 U.S.C. 122
(b)(2)(B)(i). Applicant must attach form PTO/SB/35
or its equivalent.
17. ☐ Other:

18. If a CONTINUING APPLICATION check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.78:

☒ Continuation

☐ Divisional

☐ Continuation-in-part (CIP)

of prior application No.: 09 / 2246.198

Prior application information:

Examiner L. Cross.

Group/Art Unit

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior art application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label

Insert your label here

or ☐ Correspondence address below

Name _____

Address

City

State

Zip Code

Country

Telephone

Fax

Name (Print/Type)

Anthony J. Serventi

Registration No. (Attorney/Agent)	42,141
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Signature _____

Date _____

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231.

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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision

Complete If Known

Application Number 09/246,198
 Filing Date 1/11/99
 First Named Inventor Reed et al
 Examiner Name L. CROSS
 Group / Art Unit 1721
 Attorney Docket No. 79377

TOTAL AMOUNT OF PAYMENT \$ 2170.00

METHOD OF PAYMENT (Check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payment to:

Deposit Account Number 50-0931
 Deposit Account Name NAWCWD-Pt. Mugu/China Lake

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code	Small Entity Fee Code	Fee (\$)	Description	Fee Paid
101	201	370	Utility filing fee	740.00
106	330	206	Design filing fee	
107	510	207	Plant filing fee	
108	740	208	Reissue filing fee	
114	180	214	Provisional filing fee	
SUBTOTAL (1)				\$ 740.00

2. Extra Claims

Total Claims	EXTRA CLAIM FEES	Fee from below	Fee Paid
Independent Claims	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity Fee Code	Small Entity Fee Code	Fee (\$)	Description
103	18	203	9 Claims in excess of 20
102	84	202	42 Independent claims in excess of 3
104	280	204	140 Multiple dependent claim, if not paid
109	84	209	42 **Reissue independent claims over original
110	18	210	9 **Reissue claims in excess of 20 over original

SUBTOTAL 2 \$

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code	Small Entity Fee Code	Fee (\$)	Fee Description	Fee Paid
105	130	205	65 Surcharge - late filing fee or oath	
127	50	227	25 Surcharge - late provisional filing fee or cover sheet	
139	130	139	130 Non-English specification	
147	2,520	147	2,520 For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920* Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840* Requesting publication of SIR after Examiner action	
115	110	215	55 Extension for reply within first month	110.00
116	400	216	200 Extension for reply within second month	
117	920	217	460 Extension for reply within third month	
118	1,440	218	720 Extension for reply within fourth month	
128	1,960	228	980 Extension for reply within fifth month	
119	320	219	160 Notice of Appeal	
120	320	220	160 Filing a brief in support of an appeal	
121	280	22	140 Request for oral hearing	
138	1,510	138	1,510 Petition to institute a public use proceeding	
140	110	240	55 Petition to revive - unavoidable	
141	1,280	241	640 Petition to revive - unintentional	1280.00
142	1,280	242	640 Utility issue fee (or reissue)	
143	460	243	230 Design issue fee	
144	620	244	310 Plant issue fee	
122	130	122	130 Petitions to the Commissioner	
123	50	123	50 Processing fee under 37 CFR 1.17(a)	
126	180	126	180 Submission of Information Disclosure Sheet	
581	40	581	40 Recording each patent assignment per property (times number of properties)	40.00
148	740	246	370 Filing a submission after final rejection (37 CFR 1.129(b))	
149	740	249	370 For each additional invention to be examined (37 CFR 1.129(b))	
179	740	279	370 Request for Continued Examination (RCE)	
169	900	169	900 Request for expedited examination of a design application	

Other fee (specify)

SUBTOTAL 3 1430.00

** or number previously paid, if greater. For Reissues, see below

*Reduced by Basic Filing Fee Paid

SUBMITTED BY

Name (Print/Type) Anthony J. Serventi
 Signature *Anthony J. Serventi*

Registration No. (Attorney/Agent) 42,141

Complete (if applicable)

Telephone 760-939-4177

Date 11/26/01

Warning: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-3039.

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Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Assistant Commissioner for Patents
Washington, D.C. 20231

On 26 Nov 01
Date



Signature

Julie Gervais

Typed or printed name of person signing Certificate

Note: Each Paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Utility Patent Application Transmittal (org & copy) (2 pp)
Fee Transmittal (org & copy) (2 pp)
Recordation Form & Continuation Sheet (org & copy) (6 pp)
Assignments (copies - 4 pp)
Declaration & POA (copy) (1 p)
Continuation Application (28 pp)
Application (25 pp)
Renewed Petition Under 37 CFR 1.137(b) (2 pp)
Petition for Revival of an Application for Patent Abandoned Unintentionally
Under 37 CFR 1.137(b) (org & copy) (4 pp)
Petition for Extension of Time Under 37 CFR 1.136(a) (org & copy) (2 pp)

PATENT APPLICATION
Serial No. 09/246,198

Navy Case No. 79377

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of

Reed et al.

Serial No. 09/246,198

Filed: 11 January 1999

For: FIRE SUPPRESSING GAS GENERATOR COMPOSITION

Examiner: L. Cross

Group Art Unit: 1721

RENEWED PETITION UNDER 37 CFR §1.137(b)

Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

In response to the DECISION ON PETITION dated September 11, 2001, please consider this a request for reconsideration. The Applicants' PETITION FOR REVIVAL filed July 31, 2001 was DISMISSED in the September 11, 2001 office action. Enclosed please find instructions to charge Applicants' account for petition fees due in accordance with 37 CFR §1.17 (m).

Applicants have submitted a continuation application under 37 CFR §1.53(b). In view of the foregoing, it is respectfully requested that the subject application be reinstated. The entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional.

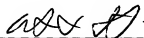
A Petition for Extension of Time under 37 CFR 1.136(a) is being submitted with this petition as permitted in the DECISION ON PETITION dated September 11, 2001

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200210 200200

PATENT APPLICATION

Serial No. 09/246,198

Respectfully Submitted,



Anthony J. Serventi
Attorney for Applicants
Registration No. 42,141

Navy Case No. 79377
Naval Air Warfare Center Weapons Division
Office of Counsel, Intellectual Property Division
Code 772000D
1 Administration Circle
China Lake, CA 93555-6001

10036882-010202

DEPARTMENT OF THE NAVY

COMMANDER
JAVAIRWARCENWPNDIV
CODE 773000D
ADMINISTRATION CIRCLE
CHINA LAKE, CA 93555-6100

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